

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
RECEIVED - JASMIN T. LOUISIANA  
MAR 25 2009  
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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

CALVIN G. BELTON  
La. DOC #300340

VS.

TIM WILKINSON, WARDEN

CIVIL ACTION NO. 08-1489

SECTION P  
JUDGE DRELL  
MAGISTRATE JUDGE KIRK

JUDGMENT

For the reasons contained in the Report and Recommendation  
of the Magistrate Judge filed previously herein, noting the  
absence of objections thereto, and concurring with the Magistrate  
Judge's findings under the applicable law;

**IT IS ORDERED** that this petition for *habeas corpus* be **DENIED**  
**AND DISMISSED WITH PREJUDICE** because petitioner's claims are  
barred by the one-year limitation period codified at 28 U.S.C.  
§2244(d) and he is not eligible for the benefits of either  
statutory or equitable tolling.

**THUS DONE AND SIGNED** in chambers, in Alexandria,  
Louisiana, on this 25 day of MAR, 2009.

  
DEE D. DRELL  
UNITED STATES DISTRICT JUDGE